

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TAILSTREAM TECHNOLOGIES LLC,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 15-625-RGA
	:	
TERARECON INC.,	:	
	:	
Defendant.	:	

MEMORANDUM ORDER

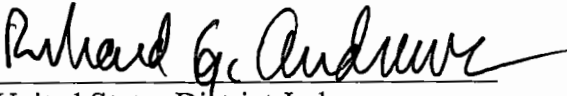
In this litigation involving assertion of three patents which appear to claim systems and methods for remotely and securely viewing medical images over the internet or a network, Defendant filed a partial motion to dismiss (D.I. 9) and Plaintiff has responded with a motion for leave to file first supplemental complaint. (D.I. 14). Plaintiff will be **GRANTED** leave to file its "supplemental" complaint, except that its claims of contributory infringement are **DISMISSED**.¹ The supplemental complaint will be considered to be filed as of today. Defendant's motion to dismiss is therefore **DISMISSED** as moot.

Plaintiff provided an email expressing its desire "to move the case forward on the merits." (D.I. 14-3 at 2). Consistent with that desire, I **ORDER** that Plaintiff provide

¹ The induced infringement claims are not much better than the contributory infringement claims, but I believe they sufficiently allege specific intent. The contributory infringement claims are simply boilerplate. Since Plaintiff has had two opportunities to allege contributory infringement, and has failed to do so, its request for leave to file a second supplemental complaint (D.I. 17, p.3) is **DENIED**.

preliminary infringement charts for the numerous asserted claims by December 18, 2015.

IT IS SO ORDERED this 30 day of November 2015.


United States District Judge